

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

RONNIE S. COBY, :
Plaintiff, :
vs. : CIVIL ACTION 09-0544-CG-M
MICHAEL J. ASTRUE, :
Commissioner of :
Social Security, :
Defendant. :

ORDER

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court.

It is **ORDERED** that Defendant's Motion to Dismiss (Doc. 12) be **DENIED**. This action will proceed to an adjudication of the merits.

DONE and ORDERED this 4th day of December, 2009.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE